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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/509,267

10/27/2004

Ryoto Shima

TSL 1786 US

5304

27305

7590

03/31/2009

HOWARD & HOWARD ATTORNEYS PLLC
450 West Fourth Street
Royal Oak, MI 48067

EXAMINER

NGUYEN, KHANH TUAN

ART UNIT

PAPER NUMBER

1796

MAIL DATE

DELIVERY MODE

03/31/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**SUPPLEMENTAL
Notice of Allowability**

Application No.

10/509,267

Examiner

KHANH T. NGUYEN

Applicant(s)

SHIMA ET AL.

Art Unit

1796

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Notice of Allowability mailed on 02/13/2009.
2. ☒ The allowed claim(s) is/are 1,3-12 and 14-26.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other ____. |

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. David LaPrairie on March 25, 2009.

3. The application has been amended as follows:

3.1 Please amend **claim 1** to read:

-- 1. (Currently Amended) An electrically conductive silicone rubber composition comprising:

(A) 100 parts by weight of an organopolysiloxane having at least two alkenyl groups per molecule;

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(B) an organopolysiloxane having at least two silicon-bonded hydrogen atoms per molecule wherein component (B) is present in an amount which provides from 0.1 tool to 10 tool of silicon-bonded hydrogen atoms from component (B) per 1 tool of alkenyl groups of component (A) and which is sufficient to cure the composition;

(C) an amount sufficient to promote cure of the composition, of a platinum based catalyst;

(D) 300 to 5,000 parts by weight of a metal based electrically conductive filler; and

(E) 5 to 500 parts by weight of spherical silicone rubber particles ~~with~~ containing a surface active agent, with said surface active agent present in component (E) but contains content of greater than 0 but not more than 0.3 wt%.--

3.2 Please amend **claim 9** to read:

-- 9. (Currently Amended) ~~Use of the~~ The composition of claim 1 for use in pressure forming, transfer molding, injection molding, or calender molding.--

3.3 Please amend **claim 11** to read:

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--11. (Currently Amended) ~~Use of the~~ The product of claim 10 for use as an electrically conductive adhesive, heat- radiating adhesive, or electromagnetic wave shielding agent.--

3.4 Please amend **claim 12** to read:

--12. (Currently Amended) ~~Use of the~~ The product of claim 10 for use in making flexible connectors, anisotropic electrically conductive films, and various other electrode materials, or for heat- radiating materials.--

3.5 Claim 13 is identical to claim 9. **Claim 13** is canceled.

3.6 Please amend **claim 14** to read:

--14. (Currently Amended) ~~Use of the~~ The composition of claim 3 for use in pressure forming, transfer molding, injection molding, or calender molding.--

3.7 Please amend **claim 15** to read:

--15. (Currently Amended) ~~Use of the~~ The composition of claim 4 for use in forming, transfer molding, injection molding, or calender molding.--

3.8 Please amend **claim 16** to read:

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--16. (Currently Amended) ~~Use of the~~ The composition of claim 5 for use in pressure forming, transfer molding, injection molding, or calender molding.--

3.9 Please amend **claim 17** to read:

--17. (Currently Amended) ~~Use of the~~ The composition of claim 6 for use in pressure forming, transfer molding, injection molding, or calender molding.--

3.10 Please amend **claim 18** to read:

--18. (Currently Amended) ~~Use of the~~ The composition of claim 7 for use in pressure forming, transfer molding, injection molding, or calender molding.--

3.11 Please amend **claim 19** to read:

--19. (Currently Amended) ~~Use of the~~ The composition of claim 8 for use in pressure forming, transfer molding, injection molding, or calender molding.--

Examiner's Statement of Reason for Allowance

4. Claims 1, 3-12, and 14-26 are allowed over the prior art of record.

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5. The following is an examiner's statement of reasons for allowance: The claims, filed on 12/26/2008 have been carefully reviewed and searched. The prior art of record to U.S. Pat. 5,229,037 (Nakano), U.S. Pat. 6,339,127 (Miyatake), or U.S. Pat. 6,380,301 (Enami) failed to suggest or disclose the composition as recited in claim 1. Specifically, the prior arts alone or in combination failed to suggest or disclose an electrically conductive silicone rubber composition comprising of (E) 5 to 500 parts by weight of spherical silicone rubber particle with a surface active agent content of greater than 0 but not more than 0.3 wt %. Moreover, the prior art of record does not provide a motivation to modify the spherical silicone rubber particle to contain a surface active agent in an amount of greater than 0 but not more than 0.3 wt % as claimed.

The best new prior art to U.S. Pat. 5,521,245 (Hirabayashi et al.) teaches a rubber compound comprising (A) an organopolysiloxane having at least two alkenyl groups in a molecule and (B) reinforcing silica powder is blended with (C) silicone elastomer particles obtained by reacting an organohydrogenpolysiloxane with a vinyl group-containing organopolysiloxane such that the molar ratio of $\equiv\text{SiH}$ group to $-\text{CH}=\text{CH}_2$ group ranges from 1.2 to 5 and (D) a platinum catalyst to form a silicone rubber composition which cures into a product having high rubber strength despite the inclusion of silicone elastomer particles. However, U.S. Pat. 5,521,245 failed to suggest or disclose said composition comprising of (E) 5 to 500 parts by weight of spherical silicone rubber particle with a surface active agent in the claimed range and (D) 300 to 5,000 parts by weight of a metal based electrically conductive filler. Therefore, claims 1, 3-12, and 14-26 are allowed over the prior art of record.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHANH T. NGUYEN whose telephone number is (571) 272-8082. The examiner can normally be reached on Monday-Friday 7:00-4:00 EST PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski can be reached on (571) 272-1302. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mark Kopec/
Primary Examiner, Art Unit 1796

/Khanh Tuan Nguyen/
Examiner
03/25/2009